

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
August 17, 2003  
Tribal Court Room 7500 Odawa Circle  
9:30 a.m.

Executive Session: yes

Call to Order: Meeting was called to order at 9:26 a.m.

Council Present: Tribal Chairman Frank Ettawageshik, Vice-Chairperson Beatrice A. Law, Treasurer Alice Yellowbank, Secretary Dexter McNamara, Councilor Fred Harrington, Jr., Councilor Regina Gasco Bentley

Council Absent: Councilor Rita Shananaquet – excused

Legal Present: James Bransky

Staff Present: See Attached list

Guests: See attached list

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Motion made by Councilor Fred Harrington, Jr. and supported by Secretary Dexter McNamara to adopt the agenda as amended for August 17, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to adopt the minutes for August 3, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Vice Chairperson Beatrice A. Law to accept the Tribal Administrator's verbal and written report as presented August 17, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to direct the Tribal Administrator to establish a work group to complete the draft personnel policies.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to exclude random mandatory drug testing, except as recommended for safety, as part of the draft personnel policies.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

10:56 a.m. 5-minute recess called

11:09 a.m. Meeting reconvened

Motion made by Councilor Fred Harrington, Jr. and supported by Secretary Dexter McNamara to accept the Tribal Chairman's verbal and written report as presented on August 17, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

11:47 a.m. Public Comment: Julie Carver, Carla McFall

11:50 a.m. Public Comment Closed

12:02 p.m. Lunch recess until 1:30 p.m.

2:04 p.m. Meeting Reconvened

Motion made by Councilor Fred Harrington, Jr. and supported by Vice Chairperson Beatrice A. Law to donate \$1,000 to the Tour de Francis project in 2003 to come from the General Fund donations line item.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Secretary Dexter McNamara and supported by Vice Chairperson Beatrice A. Law to accept the Gaming Administration verbal and written report given by Sherry Patton, Gaming Administration Chairperson on August 17, 2003

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to approve burial request #A0055 for \$150.00.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to adopt resolution #081703-01 Low Income Energy Assistance Program.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Roll call vote: Chairman Frank Ettawageshik-yes, Vice Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-absent, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion carried

3:44 p.m. recess called

3:59 p.m. meeting reconvened

4:00 p.m. Public Comment: Andrew Stich, Harvey Gibson

4:09 p.m. Public Comment closed

Motion made by Secretary Dexter McNamara and supported by Vice Chairperson Beatrice A. Law to rescind the motion of April 25, 2003, made by Councilor Rita Shananaquet and former Tribal Councilor Janet Shomin to direct the Regulatory Director to eliminate the following positions, one Compliance Official and three Compliance Inspectors. These positions shall be replaced with one full time internal auditor.

Motion withdrawn

Motion made by Secretary Dexter McNamara and supported by Vice Chairperson Beatrice A. Law to discuss the issues proposed by Secretary Dexter McNamara made August 17, 2003 at the Gaming Regulatory Work Session on October 4, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Secretary Dexter McNamara and supported by Vice Chairperson Beatrice A. Law to identify the individual(s) representing the legal department in the minutes of each tribal council meeting. This will alleviate any questions or concerns by tribal members that legal representation is present during tribal council meetings.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Vice Chairperson Beatrice A. Law to grant the Gaming Regulatory employees that lost their positions due to actions taken by Tribal Council on April 27, 2003, "Motion made by Councilor Rita Shananaquet and supported by Councilor Janet Shomin to direct the Regulatory Director to eliminate the following positions, one Compliance Official and three Compliance Inspectors. These positions shall be replaced with one full time internal auditor." 6 months severance pay with severance agreement to be worked out with the legal staff.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Vice Chairperson Beatrice A. Law to adopt Resolution #081703-02 CORA, GLRC and ILWRC Board Member.

Roll call vote: Chairman Frank Ettawageshik-yes, Vice Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-absent, Councilor Fred Harrington, Jr.-no, Councilor Regina Gasco Bentley-yes

Motion carried

5:13 p.m. recess called

5:35 p.m. meeting reconvened

Motion made by Vice Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to direct the Planning Department, Bryan Gillett to start a

Qualification-Based Selection Process for the Health Department Building, Administration Building expansion and Archives Storage Building.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Dexter McNamara to direct Bryan Gillett, Planning Director to take bids for an Administration Storage Building.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Vice Chairperson Beatrice A. Law and supported by Councilor Regina Gasco Bentley that as the Victories II Review Committee, we have LTBB Tribal Council, Casino General Manager or his designee, Gaming Administration Chairperson and the Planning Director to review the qualification statements for Victories II.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Vice Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to add to the Planning portion of the agenda Victories Hotel modifications.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Vice Chairperson Beatrice A. Law and supported by Councilor Regina Gasco Bentley to authorize the chairman to sign for the cost increase request from Concepts Contractors Inc. for a total of \$290,547.00 as presented by Bryan Gillett for Victories Hotel Renovation.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion made by Vice Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to appropriate \$180,000.00 to the Victories Hotel Renovations Project contingency line item.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Councilor Regina Gasco Bentley to approve the Health Insurance Portability Accountability Act policies B-1 through B11 and B-13 through B-17.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Vice Chairperson Beatrice A. Law and supported by Councilor Regina Gasco Bentley to adopt Resolution #081703-03, Execution of Deed and Escrow of Taxes for the Victories II property.

Roll call vote: Chairman Frank Ettawageshik-yes, Vice Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes,

Councilor Rita Shananaquet-absent Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley=yes

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Vice Chairperson Beatrice A. Law and supported by Councilor Regina Gasco Bentley to direct the Chairman to sign the contract for the lobbyist firm titled Michigan Tribal Advocates in the amount of \$42,000 per year to come from the general funds for the term commencing September 30, 2003 - ending September 29, 2004.

Vote: 5 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 1 Abstained (Chairman Frank Ettawageshik)

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Vice Chairperson Beatrice A. Law to enter into a contractual agreement as a co-contractor with Grand Traverse Band of Ottawa and Chippewa Indians retaining Greg Dowd to conduct research and reporting as defined in his professional and technical services contract, not to exceed \$35,000 to come from the Legal Department's FY2003 budget and authorize the chairman to sign the contract.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to enter into a contractual agreement as a co-contractor with Grand Traverse Band of Ottawa and Chippewa Indians and Little River Band of Ottawa Indians retaining James McClurken to conduct research and reporting defined in his professional and technical services contract, not to exceed \$25,000 to come from the General Fund-Government Operations Consultants line item.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Vice Chairperson Beatrice A. Law that this motion acknowledges all council members as ex-officio members of all Commissions, Boards and Committees and may attend any or all meetings of Commission, Boards and Committees with stipend, per diem and mileage included as allowed under the Stipend and Compensation policy.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Chairman Frank Ettawageshik designates Councilor Regina Gasco Bentley to attend the Self Governance Feasibility Study on August 28 and 29, 2003 in his place.

Motion made by Treasurer Alice Yellowbank and supported by Vice Chairperson Beatrice A. Law to meet on September 5<sup>th</sup> as a Special Work Session for Commission, Boards and Committees interviews and to have a Special Work Session on October 17<sup>th</sup> to review the draft personnel policies

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained  
Motion carried

Motion made by Vice Chairperson Beatrice A. Law and supported by Councilor Regina Gasco Bentley to go into Executive Session for Land Issues.

Vote: 5 Yes, 1 No (Councilor Fred Harrington, Jr.), 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Vice Chairperson Beatrice A. Law and supported by Councilor Regina Gasco Bentley to go out of Executive Session.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Vice Chairperson Beatrice A. Law and supported by Councilor Regina Gasco Bentley to adjourn at 8:30 p.m.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

These Minutes have been read and approved as written:

Approved:

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Dexter McNamara, Tribal Secretary

Date